

**RULES
FOR TECHNICAL SUPERVISION OF
SEA-GOING SHIPS**

Part 32 – SHIP RECYCLING

2018

CROATIAN REGISTER OF SHIPPING

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RULES FOR TECHNICAL SUPERVISION OF SEA-GOING SHIPS
Part 32 – SHIP RECYCLING

are considered to be applicable from 1st October 2018

1. HISTORICAL RECORD

- Croatian Register of Shipping (hereinafter referred to as CRS) is a heritor of ship classification activities at the eastern Adriatic coast.
- The Austrian Veritas was founded in this area, already in 1858, as the third classification society in the world.
- In 1918 the Austrian Veritas changed its name into the Adriatic Veritas and was acting as such till year 1921.
- CRS, acting till 1992 as JR (Yugoslav Register of Shipping), was founded in 1949.
- CRS Head Office is situated in Split, Republic of Croatia.
- CRS is the classification society, member of International Association of Classification Societies (IACS), starting from May 2011.

From April 1973 till January 2005, when IACS generally discontinued associate status, CRS was an associate IACS member.

- CRS is the recognised classification society (RO) pursuant to the requirements of the Regulation (EC) No. 391/2009 of the European Parliament and of the Council on common rules and standards for ship inspection and survey organisations.
- CRS is the conformity assessment notified body notified under provisions of the Council Directive 2013/53/EU related to recreational craft.
- CRS is the conformity assessments notified body notified under provisions of the Council Directive 2014/90/EU on marine equipment.
- CRS is the conformity assessments notified body notified under provisions of the Council Directive 2014/68/EU (PED) on pressure vessels.

CRS is the conformity assessments notified body notified under provisions of the Council Directive 2014/29/EU (SPVD) on simple pressure vessels.

- CRS is certified by British Standards Institution (BSI) confirming that CRS operates the Quality Management System which complies with the requirements of BS EN 9001:2015 for the scope of classification and statutory certification of ships, statutory certification of marine equipment and recreational crafts, and BSI Annual Statement of Compliance confirming that CRS Quality Management System complies with IACS Quality System Certification Scheme.

2. STATUS

- CRS is an independent, not for profit but common welfare oriented, public foundation performing:
 - classification of ships;
 - statutory certification of ships on behalf of the national Maritime Administrations;
 - statutory certification of recreational crafts;
 - certification of materials and products;
 - conformity assessment of recreational crafts;
 - conformity assessment of marine equipment;
 - conformity assessment of pressure vessels;
 - certification / registration of quality management systems.
- The present status of CRS is defined by the Law on Croatian Register of Shipping (OFFICIAL GAZETTE No. 1996/81, as amended with No. 2013/76) and Charter of CRS.

3. MISSION

- CRS mission in the field of classification and statutory certification is to promote the highest internationally adopted standards in the safety of life and property at sea and inland waterways, as well as in the protection of the sea and inland waterways environment.

4. LIABILITY

1. CRS is neither, and nor may be considered as, an Underwriter, Consulting Engineer, Naval Architect, Shipbuilder, Shipowner or Operator, and cannot assume or be exposed to the obligations and responsibilities incumbent on such functions, even though experience of CRS enables it to answer enquiries concerning matters not covered by its Rules, Recommendations, Guidance notes, Instructions, Documents or other evidence.
2. Practices and procedures of CRS are selected by CRS in its sole and absolute discretion based on its experience and knowledge, and in conformity with generally accepted professional standards in the relevant field of the classification Societies.
3. Nothing contained herein, or in any information, report, certificate or like document issued in connection with or pursuant to the performance by CRS of its services, shall be deemed to relieve any designer, naval architect or engineer, shipbuilder or manufacturer, shipyard, seller, supplier, contractor or subcontractor, repairer, or owner, operator, manager or any other person or entity from any warranty or other contractual obligations or responsibilities, expressed or implied or from any negligent act, error or omission whatsoever, nor may create any right, claim or benefit to any third party.
4. CRS shall exercise due diligence in selection or appointment of its surveyors and all other personnel whose attendance and work is employed or engaged for the purpose of performing its services.
5. Nevertheless, if any person or entity uses services of CRS and suffers loss, damage or expenses thereby, which is attributable or proved to have been caused by any negligent act, omission or error of the surveyors, servants, agents, appointees, officers, managers or directors of CRS or purporting to act in the name and on behalf of CRS, or any negligent inaccuracy, advice, report or evidence is given by or in the name or/and on behalf of CRS, then the liability of CRS is limited in respect of any direct or indirect claim whatsoever to an amount not exceeding five times the amount of the fee charged or chargeable by CRS for the relevant service.
6. Where the fees are related to a number of services, the amount of fees shall be apportioned for the purpose of the calculation of the maximum compensation of the limited liability, as established by the preceding paragraph, in accordance with the estimated time involved in the performance of each service.
7. Any liability for consequential damages is expressly excluded.
8. These rules (General Conditions) are construed and interpreted in accordance with the English Law.
9. Any dispute arising out of the services rendered by CRS shall be referred to the Permanent Arbitration Court with the Croatian Chamber of Commerce in Zagreb, Republic of Croatia.

The subject Rules include the requirements of the following international Organisations:

International Maritime Organization (IMO)

Conventions: International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009 (the Hong Kong Convention)

Resolutions: MEPC.196(62), MEPC.210(63), MEPC.211(63), MEPC.222(64), MEPC.223(64), MEPC.269(68)

Circulars: -

International Association of Classification Societies (IACS):

Recommendations (Rec.): No. 113 (Rev. 1, 2012)

Contents

Page

1	GENERAL	1
1.1	GENERAL REQUIREMENTS	1
1.2	APPLICATION	1
1.3	DEFINITIONS AND EXPLANATIONS	1
1.4	RELATIONSHIP WITH OTHER STANDARDS, RECOMMENDATIONS AND GUIDANCE	2
1.5	DOCUMENTATION	2
2	SURVEYS AND CERTIFICATION.....	4
2.1	SURVEYS	4
2.2	ISSUANCE AND ENDORSEMENT OF CERTIFICATES	4
2.3	ISSUANCE OR ENDORSEMENT OF A CERTIFICATE BY ANOTHER PARTY	5
2.4	FORM OF THE CERTIFICATES.....	5
2.5	DURATION AND VALIDITY OF THE CERTIFICATES.....	5
3	REQUIREMENTS FOR SHIPS.....	7
3.1	DESIGN, CONSTRUCTION, OPERATION AND MAINTENANCE OF SHIPS	7
3.2	INVENTORY OF HAZARDOUS MATERIALS	7
3.3	SHIP RECYCLING	7
4	REQUIREMENTS FOR SHIP RECYCLING FACILITIES.....	9
4.1	CONTROLS ON SHIP RECYCLING FACILITIES	9
4.2	AUTHORIZATION OF SHIP RECYCLING FACILITIES	9
4.3	GENERAL REQUIREMENTS	9
4.4	SHIP RECYCLING FACILITY PLAN.....	9
4.5	PREVENTION OF ADVERSE EFFECTS TO HUMAN HEALTH AND THE ENVIRONMENT.....	10
4.6	SAFE AND ENVIRONMENTALLY SOUND MANAGEMENT OF HAZARDOUS MATERIALS	10
4.7	EMERGENCY PREPAREDNESS AND RESPONSE	10
4.8	WORKER SAFETY AND TRAINING	11
4.9	REPORTING ON INCIDENTS, ACCIDENTS, OCCUPATIONAL DISEASES AND CHRONIC EFFECTS	11
5	REPORTING REQUIREMENTS	12
5.1	INITIAL NOTIFICATION AND REPORTING REQUIREMENTS.....	12
5.2	REPORTING UPON COMPLETION.....	12
6	ADDITIONAL GUIDANCE UNDER OTHER ENVIRONMENTAL REGULATIONS AND GUIDELINES	13
	APPENDIX 1 - CONTROLS OF HAZARDOUS MATERIALS	14
	APPENDIX 2 - MINIMUM LIST OF ITEMS FOR THE INVENTORY OF HAZARDOUS MATERIALS	15

1 GENERAL

1.1 GENERAL REQUIREMENTS

1.1.1 The purpose of the requirements in this Part of the Rules for technical supervision of sea-going ships (hereinafter referred to as: the Rules) of Croatian Register of Shipping (hereinafter referred to as: the *Register*) is to provide compliance with Hong Kong International Convention for the Safe and Environmentally Sound Recycling Of Ships, 2009 (hereinafter referred to as: the Hong Kong Convention, or the Convention).

When authorized by the Flag State Administration, the *Register* will act on its behalf within limits of such authorization, taking into account any specific or additional requirements of the Flag State Administration.

1.2 APPLICATION

1.2.1 Unless expressly provided otherwise, the design, construction, survey, certification, operation and recycling of ships shall be conducted in accordance with the provisions of this Part of the Rules.

1.2.2 If not instructed otherwise by the Flag State Administration, this Part of the Rules applies to ships of 500 GT and upwards (including submersibles, floating objects, mobile offshore drilling units (MODUs), jack-up platforms, floating storages and floating production and storage objects, including towed objects and objects with equipment removed) engaged on international voyages, except warships, naval auxiliary, or other ships owned or operated by a Government and used on government non-commercial service.

This Part of the Rules shall also apply to Ship Recycling Facilities operating under the jurisdiction of a country that ratified the Convention (Party to Convention).

This Part of the Rules shall not apply to ships of less than 500 GT or to ships operating throughout their life only in waters subject to the sovereignty or jurisdiction of the State whose flag the ship is entitled to fly.

1.3 DEFINITIONS AND EXPLANATIONS

Definitions and explanations relating to the general terminology are given in the *Rules for the classification of ships, Part 1 - General Requirements, Chapter 1 - General information*.

For general requirements with regard to newconstruction refer to the *Rules for the classification of ships, Part 1 - General Requirements, Chapter 2 - Survey during construction and initial survey of existing ships, 1.1.29*.

In this part of the Rules the following definitions and explanations shall apply:

1.3.1 Competent authority – a governmental authority or authorities designated by a Flag State Administration or other State as responsible, within specified geographical area(s) or area(s) of expertise, for duties related to Ship Recy-

cling Facilities operating within the jurisdiction of that State as specified in Hong Kong Convention.

1.3.2 Competent person – a person with suitable qualifications, training, and sufficient knowledge, experience and skill, for the performance of the specific work. Specifically, a Competent person may be a trained worker or a managerial employee capable of recognizing and evaluating occupational hazards, risks, and employee exposure to potentially Hazardous Materials or unsafe conditions in a Ship Recycling Facility, and who is capable of specifying the necessary protection and precautions to be taken to eliminate or reduce those hazards, risks, or exposures. The Competent Authority may define appropriate criteria for the designation of such persons and may determine the duties to be assigned to them.

1.3.3 Employer – a natural or legal person that employs one or more workers engaged in Ship Recycling.

1.3.4 Existing ship – a ship which is not a new ship.

1.3.5 New ship – a ship:

- 1 for which the building contract is placed on or after the entry into force of Hong Kong Convention (i.e. International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009); or
- 2 in the absence of a building contract, the keel of which is laid or which is at a similar stage of construction on or after six months after the entry into force of Hong Kong Convention; or
- 3 the delivery of which is on or after 30 months after the entry into force of Hong Kong Convention.

1.3.6 New installation – the installation of systems, equipment, insulation, or other material on a ship after the date on which Hong Kong Convention enters into force.

1.3.7 Safe-for-entry space – a space that meets the following criteria:

- 1 the oxygen content of the atmosphere and the concentration of flammable vapours are within safe limits;
- 2 any toxic materials in the atmosphere are within permissible concentrations; and
- 3 any residues or materials associated with the work authorized by the Competent person will not produce uncontrolled release of toxic materials or an unsafe concentration of flammable vapours under existing atmospheric conditions while maintained as directed.

1.3.8 Safe-for-hot work space – a space that meets the following criteria:

- 1 a safe, non-explosive condition, including gas-free status, exists for the use of electric arc or gas welding equipment, cutting or burning equipment or other forms of naked flame, as well as heating, grinding, or spark generating operations;
- 2 Safe-for-entry requirements of regulation 1.3.7 are met;
- 3 existing atmospheric conditions will not change as a result of the hot work; and

- 4 all adjacent spaces have been cleaned, or inerted, or treated sufficiently to prevent the start or spread of fire.

1.3.9 Shipowner – the person or persons or company registered as the owner of the ship or, in the absence of registration, the person or persons or company owning the ship or any other organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the owner of the ship. However, in the case of a ship owned by a State and operated by a company which in that State is registered as the ship’s operator, “owner” shall mean such company. This term also includes those who have ownership of the ship for a limited period pending its sale or handing over to a Ship Recycling Facility.

1.3.10 Site inspection – an inspection of the Ship Recycling Facility confirming the condition described by the verified documentation.

1.3.11 Statement of Completion – a confirmatory statement issued by the Ship Recycling Facility that the Ship Recycling has been completed in accordance with Hong Kong Convention.

1.3.12 Tanker – an oil tanker as defined in MARPOL, Annex I or an NLS tanker as defined in MARPOL, Annex II.

1.3.13 Worker – any person who performs work, either regularly or temporarily, in the context of an employment relationship including contractor personnel.

1.3.14 Correlation between the Annex to Convention and this Part of the Rules is as follows:

Regulation No.	Item in this Part of the Rules
1	1.3
2	1.2
3	1.4
4	3.1
5	3.2
6	
7	not relevant for operational purpose / surveys
8	3.3.1
9	3.3.2
10	2.1
11	2.2
12	2.3
13	2.4
14	2.5
15	4.1
16	4.2
17	4.3
18	4.4
19	4.5
20	4.6
21	4.7
22	4.8
23	4.9
24	5.1
25	5.2

1.4 RELATIONSHIP WITH OTHER STANDARDS, RECOMMENDATIONS AND GUIDANCE

1.4.1 Parties shall take measures to implement the requirements of this Part of the Rules, taking into account relevant and applicable standards, recommendations and guidance developed by the International Labour Organization and the relevant and applicable technical standards, recommendations and guidance developed under the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.

1.5 DOCUMENTATION

1.5.1 For existing ships the following documentation is to be submitted to the *Register*:

- 1 General Arrangement Plan of the ship (not required for ship being classified by the *Register*);
- 2 Visual and sampling check plan;
- 3 Report of onboard visual/sampling check;
- 4 Part I of the Inventory of Hazardous Materials; and, if Ready for Recycling Certificate is requested:
- 5 Inventory of Hazardous Materials (Part I supplemented with Parts II and III); and
- 6 Ship Recycling Plan.

The visual/sampling check plan should be prepared by company having the requisite knowledge and experience to conduct the assigned task, in accordance with the 2015 Guidelines for the development of the inventory of hazardous materials (IMO Res. MEPC.269(68), as may be amended) and/or EMSA’s Best Practice Guidance on the Inventory of Hazardous Materials, as applicable.

Reviewed “Visual and sampling check plan” is basis for visual and sampling check on board, which shall be performed by Owner/Company, who may engage IHM expert party. Company performing IHM check shall be approved by the *Register* or, on case by case basis, the *Register* may accept approval issued by other Recognized classification society.

Expert Parties Engaged in Visual and/or Sampling Checks for Preparation of Inventory of Hazardous Materials shall comply with IACS Recommendation No. 113 (Rev. 1, Oct 2012) or equivalent.

The *Register* reserves the right to witness that check on board, or to waive, at its own discretion, from witnessing onboard.

Visual and sampling check on board shall be documented by Owner/Company and submitted to the *Register* for approval in form of „Report of onboard visual/sampling check“. Laboratory report, if any, with testing results of samples shall be attached. That report is the basis for development of Inventory of Hazardous Materials. Laboratory shall be approved by the *Register* or, on case by case basis, the *Register* may accept approval issued by other Recognized classification society.

Survey onboard conducted by the *Register* should further verify that the “Part I Inventory of Hazardous Materials”, as well as Part II and Part III, as applicable, espe-

cially the location of hazardous materials, is consistent with the arrangements, structure and equipment of the ship. If found necessary by the surveyor, additional sampling may be requested.

1.5.2 For new ships the following documentation is to be submitted to the *Register*:

- .1 Inventory of Hazardous Materials – which identifies Hazardous Materials contained in ship structure and equipment, their location and approximate quantities along with the Material Declaration and Supplier's Declaration of Conformity in accordance with the 2015 Guidelines for the development of the inventory of hazardous materials (IMO Res. MEPC. 269(68), as may be amended) and/or EMSA's Best Practice Guidance on the Inventory of Hazardous Materials, as applicable, and all other documents used to develop the Inventory of Hazardous Materials; and, if Ready for Recycling Certificate is requested:
- .2 Inventory of Hazardous Materials (Part I supplemented with Parts II and III); and
- .3 Ship Recycling Plan.

The survey on board should verify that part I of the Inventory of Hazardous Materials, as well as Part II and Part III, as applicable, identifies the Hazardous Materials, their location and approximate quantities, and should clarify that the ship complies with Hong Kong Convention and/or Regulation (EU) 1257/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 20 November 2013 on ship recycling and amending Regulation (EC) No 1013/2006 and Directive 2009/16/EC. The survey should also verify that the Inventory of Hazardous Materials, especially the location of Hazardous Materials, is consistent with the arrangements, structure and equipment of the ship, through onboard inspection.

1.5.3 For approval of Ship Recycling Facility, documentation required by the Convention shall be submitted to the *Register*, taking into account any specific or additional requirements of the Flag State Administration.

2 SURVEYS AND CERTIFICATION

2.1 SURVEYS

2.1.1 The ship to which the Hong Kong Convention applies shall be subject to survey by the *Register* upon ship-owners' request and under the authorization of the Flag State Administration.

The following types of surveys shall be performed, as applicable:

- .1 an initial survey before the ship is put in service, or before the International Certificate on Inventory of Hazardous Materials is issued. This survey shall verify that Part I of the Inventory required by 3.2 is in accordance with the requirements of the Hong Kong Convention;
- .2 a renewal survey at intervals specified by the Administration, but not exceeding five years. This survey shall verify that Part I of the Inventory of Hazardous Materials required by 3.2 complies with the requirements of the Hong Kong Convention;
- .3 an additional survey, either general or partial, according to the circumstances, may be made at the request of the shipowner after a change, replacement, or significant repair of the structure, equipment, systems, fittings, arrangements and material. The survey shall be such as to ensure that any such change, replacement, or significant repair has been made in the way that the ship continues to comply with the requirements of the Hong Kong Convention, and that Part I of the Inventory is amended as necessary; and
- .4 a final survey prior to the ship being taken out of service and before the recycling of the ship has started. This survey shall verify:
 - .1 that the Inventory of Hazardous Materials as required by 3.2.4 is in accordance with the requirements of the Hong Kong Convention taking into account the guidelines developed by IMO;
 - .2 that the Ship Recycling Plan, as required by 3.3.2, properly reflects the information contained in the Inventory of Hazardous Materials as required by 3.2.4 and contains information concerning the establishment, maintenance and monitoring of Safe-for-entry and Safe-for-hot work conditions; and
 - .3 that the Ship Recycling Facility(ies) where the ship is to be recycled holds a valid authorization in accordance with the Hong Kong Convention.

2.1.2 Surveys of ships for the purpose of enforcement of the provisions of the Hong Kong Convention shall be carried out by officers of the Administration, taking into account the guidelines developed by IMO. The Administration may, however, entrust the surveys to the *Register*.

2.1.3 An Administration nominating surveyors or recognizing organizations to conduct surveys, as described in 2.1.2 shall, as a minimum, empower such nominated surveyors or recognized organizations to:

- .1 require a ship that they survey to comply with the provisions of the Hong Kong Convention; and
- .2 carry out surveys and inspections if requested by the appropriate authorities of a port State that is a Party.

2.1.4 In every case, the Administration concerned shall be responsible to ensure the completeness and efficiency of the survey and shall undertake to ensure the necessary arrangements to satisfy this obligation.

2.1.5 The initial and renewal surveys should be harmonized with the surveys required by other applicable statutory instruments of IMO.

2.2 ISSUANCE AND ENDORSEMENT OF CERTIFICATES

2.2.1 An International Certificate on Inventory of Hazardous Materials shall be issued either by the Administration or by the *Register* after successful completion of an initial or renewal survey conducted in accordance with 2.1, to any ships to which 2.1 applies, except for existing ships for which both an initial survey and a final survey are conducted at the same time, taking into account the guidelines developed by IMO.

2.2.2 The International Certificate on Inventory of Hazardous Materials issued under 2.2.1, at the request of the shipowner, shall be endorsed either by the Administration or by the *Register* after successful completion of an additional survey conducted in accordance with 2.1.

2.2.3 Notwithstanding regulation 2.5.2 and the requirements of regulation 2.1.1.2, when the renewal survey is completed within three months before the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to a date not exceeding five years from the date of expiry of the existing certificate.

2.2.4 When the renewal survey is completed after the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to a date not exceeding five years from the date of expiry of the existing certificate.

2.2.5 When the renewal survey is completed more than three months before the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to a date not exceeding five years from the date of completion of the renewal survey.

2.2.6 If a certificate is issued for a period of less than five years, the Administration or the *Register* acting on its

behalf may extend the validity of the certificate beyond the expiry date to the maximum period specified in regulation 2.1.1.2.

2.2.7 If a renewal survey has been completed and a new certificate cannot be issued or placed on board the ship before the expiry date of the existing certificate, the *Register* authorized by the Administration may endorse the existing certificate and such a certificate shall be accepted as valid for a further period which shall not exceed five months from the expiry date.

2.2.8 If a ship at the time when a certificate expires is not in a port in which it is to be surveyed, the Administration may extend the period of validity of the certificate but this extension shall be granted only for the purpose of allowing the ship to complete its voyage to the port in which it is to be surveyed and then only in cases where it appears proper and reasonable to do so. No certificate shall be extended for a period longer than three months, and a ship to which an extension is granted shall not, on its arrival in the port in which it is to be surveyed, be entitled by virtue of such extension to leave that port without having a new certificate. When the renewal survey is completed, the new certificate shall be valid to a date not exceeding five years from the date of expiry of the existing certificate before the extension was granted.

2.2.9 A certificate issued to a ship engaged on short voyages which has not been extended under the foregoing provisions of 2.2 may be extended by the Administration for a period of grace of up to one month from the date of expiry stated on it. When the renewal survey is completed, the new certificate shall be valid to a date not exceeding five years from the date of expiry of the existing certificate before the extension was granted.

2.2.10 In special circumstances, as determined by the Administration, a new certificate need not be dated from the date of expiry of the existing certificate as required by 2.2.4, 2.2.8 or 2.2.9. In these special circumstances, the new certificate shall be valid to a date not exceeding five years from the date of completion of the renewal survey.

2.2.11 An International Ready for Recycling Certificate shall be issued either by the Administration or by the *Register*, after successful completion of a final survey in accordance with the provisions of 2.1, to any ships to which 2.1 applies, taking into account the authorization of the Ship Recycling Facility and the guidelines developed by IMO.

2.2.12 A certificate issued under the authority of a Party shall be accepted by the other Parties and regarded for all purposes covered by the Hong Kong Convention as having the same validity as a certificate issued by them. Certificates shall be issued or endorsed either by the Administration or by the *Register*. In every case, the Administration assumes full responsibility for the certificate.

2.3 ISSUANCE OR ENDORSEMENT OF A CERTIFICATE BY ANOTHER PARTY

2.3.1 At the request of the Administration, another Party may cause a ship to be surveyed and, if satisfied that the provisions of the Hong Kong Convention are complied with, shall issue or authorize the issuance of a certificate to the ship, and where appropriate, endorse or authorize the endorsement

of that certificate on the ship, in accordance with this Part of the Rules.

2.3.2 A copy of the certificate and a copy of the survey report shall be transmitted as soon as possible to the requesting Administration.

2.3.3 A certificate so issued shall contain a statement to the effect that it has been issued at the request of the Administration and it shall have the same force and receive the same recognition as a certificate issued by the Administration.

2.3.4 No certificate shall be issued to a ship entitled to fly the flag of a State which is not a Party.

2.4 FORM OF THE CERTIFICATES

2.4.1 The certificates shall be drawn up in an official language of the issuing Party, in the form set forth in Appendices 3 and 4. If the language used is not English, French or Spanish, the text shall include a translation into one of these languages. The Administration may, however, issue the International Certificate on Inventory of Hazardous Materials drawn up only in an official language of the issuing Party to ships not engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to the Hong Kong Convention and the International Ready for Recycling Certificate drawn up only in an official language of the issuing Party to ships recycled in Ship Recycling Facilities under the jurisdiction of the issuing Party.

2.5 DURATION AND VALIDITY OF THE CERTIFICATES

2.5.1 An International Certificate on Inventory of Hazardous Materials issued under 2.2 or 2.3 shall cease to be valid in any of the following cases:

- .1 if the condition of the ship does not correspond substantially with the particulars of the certificate, including where Part I of the Inventory of Hazardous Materials is not properly maintained and updated, reflecting changes in ship structure and equipment, in accordance with the guidelines developed by IMO;
- .2 upon transfer of the ship to the flag of another State. A new certificate shall only be issued when the Party issuing the new certificate is fully satisfied that the ship is in compliance with the requirements of 2.1. In the case of a transfer between Parties, if requested within three months after the transfer has taken place, the Party whose flag the ship was formerly entitled to fly shall, as soon as possible, transmit to the Administration copies of the certificates carried by the ship before the transfer and, if available, copies of the relevant survey reports;
- .3 if the renewal survey is not completed within the periods specified under 2.1.1 and 2.2; or

- .4 if the certificate is not endorsed in accordance with 2.2 or 2.3.

2.5.2 An International Certificate on Inventory of Hazardous Materials shall be issued for a period specified by the Administration, which shall not exceed five years.

2.5.3 An International Ready for Recycling Certificate shall be issued for a period specified by the Administration that shall not exceed three months.

2.5.4 An International Ready for Recycling Certificate issued under 2.2 or 2.3 shall cease to be valid if the condition of the ship does not correspond substantially with the particulars of the certificate.

2.5.5 The International Ready for Recycling Certificate may be extended by the Administration or by any person or organization authorized by it for a single point to point voyage to the Ship Recycling Facility.

3 REQUIREMENTS FOR SHIPS

3.1 DESIGN, CONSTRUCTION, OPERATION AND MAINTENANCE OF SHIPS

3.1.1 In accordance with the requirements specified in Appendix 1 to the Hong Kong Convention each Party:

- .1 shall prohibit and/or restrict the installation or use of Hazardous Materials listed in Appendix 1 on ships entitled to fly its flag or operating under its authority; and
- .2 shall prohibit and/or restrict the installation or use of such materials on ships, whilst in its ports, shipyards, ship repair yards, or offshore terminals,

and shall take effective measures to ensure that such ships comply with those requirements.

3.2 INVENTORY OF HAZARDOUS MATERIALS

3.2.1 Each new ship shall have on board an Inventory of Hazardous Materials. The Inventory shall be verified either by the Administration or by the *Register*, taking into account guidelines, including any threshold values and exemptions contained in those guidelines, developed by IMO. The Inventory of Hazardous Materials shall be specific to each ship and shall at least:

- .1 identify as Part I, Hazardous Materials listed in Appendices 1 and 2 to the Hong Kong Convention and contained in ship's structure or equipment, their location and approximate quantities; and
- .2 clarify that the ship complies with 3.1.

3.2.2 Existing ships shall comply as far as practicable with 3.2.1 not later than 5 years after the entry into force of the Hong Kong Convention, or before going for recycling if this is earlier, taking into account the guidelines developed by IMO and the Organization's Harmonized System of Survey and Certification. The Hazardous Materials listed in Appendix 1, at least, shall be identified when the Inventory is developed. For existing ships a plan shall be prepared describing the visual/sampling check by which the Inventory of Hazardous Materials is developed, taking into account the guidelines developed by IMO.

3.2.3 Part I of the Inventory of Hazardous Materials shall be properly maintained and updated throughout the operational life of the ship, reflecting new installations containing Hazardous Materials listed in Annex 2 and relevant changes in ship structure and equipment, taking into account the guidelines developed by IMO.

3.2.4 Prior to recycling, the Inventory shall, in addition to the properly maintained and updated Part I, incorporate Part II for operationally generated wastes and Part III for stores, and be verified either by the Administration or by the *Register*, taking into account the guidelines developed by IMO.

3.3 SHIP RECYCLING

3.3.1 Ships destined to be recycled shall:

- .1 only be recycled at Ship Recycling Facilities that are:
 - .1 authorized in accordance with this Convention; and
 - .2 fully authorized to undertake all the ship recycling which the Ship Recycling Plan specifies to be conducted by the identified Ship Recycling Facility(ies);
- .2 conduct operations in the period prior to entering the Ship Recycling Facility in order to minimize the amount of cargo residues, remaining fuel oil, and wastes remaining on board;
- .3 in the case of a tanker, arrive at the Ship Recycling Facility with cargo tanks and pump room(s) in a condition that is ready for certification as Safe-for-entry, or Safe-for-hot work, or both, according to national laws, regulations and policies of the Party under whose jurisdiction the Ship Recycling Facility operates;
- .4 provide to the Ship Recycling Facility all available information relating to the ship for the development of the Ship Recycling Plan required by 3.3.2;
- .5 complete the Inventory required by 3.2; and
- .6 be certified as ready for recycling by the Administration or organization recognized by it, prior to any recycling activity taking place.

3.3.2 Ship Recycling Plan

A ship specific Ship Recycling Plan shall be developed by the Ship Recycling Facility(ies) prior to any recycling of a ship, taking into account the guidelines developed by IMO. The Ship Recycling Plan shall:

- .1 be developed taking into account information provided by the shipowner;
- .2 be developed in the language accepted by the Party authorizing the Ship Recycling Facility, and if the language used is not English, French or Spanish, the Ship Recycling Plan shall be translated into one of these languages, except where the Administration is satisfied that this is not necessary;
- .3 include information concerning inter alia, the establishment, maintenance, and monitoring of Safe-for-entry and Safe-for-hot work conditions and how the type and amount of materials including those identified in the Inventory of Hazardous Materials will be managed;
- .4 in accordance with the declaration deposited pursuant to Article 16.6 of the Hong Kong Convention, be either explicitly or tacitly approved by the Competent Authority authorizing the Ship Recycling Facility. The Competent Authority shall send writ-

ten acknowledgement of receipt of the Ship Recycling Plan to the Ship Recycling Facility, Ship Owner and Administration within three (3) working days of its receipt in accordance with regulation 24. Thereafter:

- .1 where a Party requires explicit approval of the Ship Recycling Plan, the Competent Authority shall send written notification of its decision to approve or deny the Ship Recycling Plan to the Ship Recycling Facility, Ship Owner and Administration; and
- .2 where a Party requires tacit approval of the Ship Recycling Plan, the acknowledgement of receipt shall specify the end date of a 14-day review period. The Competent Authority shall notify any written objection to the Ship Recycling Plan to the Ship Recycling Facility, Ship Owner and Administration within this 14-day review period. Where no such written objection has been notified, the Ship Recycling Plan shall be deemed to be approved.
- .5 once approved in accordance with paragraph .4, shall be made available for inspection by the Administration, or any nominated surveyors or organization recognized by it; and
- .6 where more than one Ship Recycling Facility is used, identify the Ship Recycling Facilities to be used and specify the recycling activities and the order in which they occur at each authorized Ship Recycling Facility.

4 REQUIREMENTS FOR SHIP RECYCLING FACILITIES

4.1 CONTROLS ON SHIP RECYCLING FACILITIES

4.1.1 Each Party shall establish legislation, regulations, and standards that are necessary to ensure that Ship Recycling Facilities are designed, constructed, and operated in a safe and environmentally sound manner in accordance with the regulations of the Hong Kong Convention.

4.1.2 Each Party shall establish a mechanism for authorizing Ship Recycling Facilities with appropriate conditions to ensure that such Ship Recycling Facilities meet the requirements of the Hong Kong Convention.

4.1.3 Each Party shall establish a mechanism for ensuring that Ship Recycling Facilities comply with the requirements of this chapter including the establishment and effective use of inspection, monitoring and enforcement provisions, including powers of entry and sampling. Such a mechanism may include an audit scheme to be carried out by the Competent Authority(ies) or by the *Register*, taking into account guidelines developed by IMO, and the results of these audits should be communicated to IMO.

4.1.4 Each Party shall designate one or more Competent Authorities and the single contact point to be used by the Organization, Parties to the Hong Kong Convention and other interested entities, for matters related to Ship Recycling Facilities operating within the jurisdiction of that Party.

4.2 AUTHORIZATION OF SHIP RECYCLING FACILITIES

4.2.1 Ship Recycling Facilities which recycle ships to which the Hong Kong Convention applies, or ships treated similarly pursuant to Article 3.4, shall be authorized by a Party taking into account the guidelines developed by IMO.

4.2.2 The authorization shall be carried out by the Competent Authority(ies) and shall include verification of documentation required by the Hong Kong Convention and a site inspection. The Competent Authority(ies) may however entrust the authorization of Ship Recycling Facilities to the *Register*.

4.2.3 The Party shall notify IMO of the specific responsibilities and conditions of the authority delegated to the *Register*, for circulation to Parties. In every case, the Competent Authority(ies) retains full responsibility for the authorization issued.

4.2.4 The authorization shall be drawn up in the form set forth in Convention. If the language used is not English, French or Spanish, the text shall include a translation into one of these languages.

4.2.5 The authorization shall be valid for a period specified by the Party but not exceeding five years. The Party shall identify the terms for which the authorization will be is-

sued, withdrawn, suspended, amended and renewed, and communicate these terms to the Ship Recycling Facilities. If a Ship Recycling Facility refuses inspection by the Competent Authority(ies) or by the *Register* and operating on its/their behalf, the authorization shall be suspended or withdrawn.

4.2.6 If incidents or actions taken at the Ship Recycling Facility have the effect that the conditions for the authorization are no longer fulfilled, the Ship Recycling Facility shall inform the Competent Authority(ies) thereon. The Competent Authority(ies) may accordingly decide to suspend or withdraw the authorization, or require corrective actions by the Ship Recycling Facility.

4.3 GENERAL REQUIREMENTS

4.3.1 Ship Recycling Facilities authorized by a Party shall establish management systems, procedures and techniques which do not pose health risks to the workers concerned or to the population in the vicinity of the Ship Recycling Facility and which will prevent, reduce, minimize and to the extent practicable eliminate adverse effects on the environment caused by Ship Recycling, taking into account guidelines developed by IMO.

4.3.2 Ship Recycling Facilities authorized by a Party shall, for ships to which the Hong Kong Convention applies, or ships treated similarly pursuant to Article 3.4:

- .1 only accept ships that:
 - .1 comply with the Hong Kong Convention; or
 - .2 meet the requirements of the Hong Kong Convention;
- .2 only accept ships which they are authorized to recycle; and
- .3 have the documentation of its authorization available if such documentation is requested by a shipowner that is considering recycling a ship at that Ship Recycling Facility.

4.4 SHIP RECYCLING FACILITY PLAN

4.4.1 Ship Recycling Facilities authorized by a Party shall prepare a Ship Recycling Facility Plan. The Plan shall be adopted by the board or the appropriate governing body of the Recycling Company, and shall include:

- .1 a policy ensuring workers' safety and the protection of human health and the environment, including the establishment of objectives that lead to the minimization and elimination to the extent practicable of the adverse effects on human health and the environment caused by Ship Recycling;
- .2 a system for ensuring implementation of the requirements set out in the Hong Kong Convention, the achievement of the goals set out in the policy of the Recycling Company, and the continuous improvement of the procedures and standards used in the Ship Recycling operations;

- .3 identification of roles and responsibilities for employers and workers when conducting Ship Recycling operations;
 - .4 a programme for providing appropriate information and training of workers for the safe and environmentally sound operation of the Ship Recycling Facility;
 - .5 an emergency preparedness and response plan;
 - .6 a system for monitoring the performance of Ship Recycling;
 - .7 a record-keeping system showing how Ship Recycling is carried out;
 - .8 a system for reporting discharges, emissions, incidents and accidents causing damage, or with the potential of causing damage, to workers' safety, human health and the environment; and
 - .9 a system for reporting occupational diseases, accidents, injuries and other adverse effects on workers' safety and human health,
- taking into account guidelines developed by

IMO.

4.5 PREVENTION OF ADVERSE EFFECTS TO HUMAN HEALTH AND THE ENVIRONMENT

4.5.1 Ship Recycling Facilities authorized by a Party shall establish and utilize procedures to:

- .1 prevent explosions, fires, and other unsafe conditions by ensuring that Safe-for-hot work conditions and procedures are established, maintained and monitored throughout Ship Recycling;
- .2 prevent harm from dangerous atmospheres and other unsafe conditions by ensuring that Safe-for-entry conditions and procedures are established, maintained, and monitored in ship spaces, including confined spaces and enclosed spaces, throughout Ship Recycling;
- .3 prevent other accidents, occupational diseases and injuries or other adverse effects on human health and the environment; and
- .4 prevent spills or emissions throughout Ship Recycling which may cause harm to human health and/or the environment,

taking into account guidelines developed by

IMO.

4.6 SAFE AND ENVIRONMENTALLY SOUND MANAGEMENT OF HAZARDOUS MATERIALS

4.6.1 Ship Recycling Facilities authorized by a Party shall ensure safe and environmentally sound removal of any Hazardous Material contained in a ship certified in accordance with 2.2 or 2.3. The person(s) in charge of the recycling operations and the workers shall be familiar with the requirements of the Hong Kong Convention relevant to their tasks and, in

particular, actively use the Inventory of Hazardous Materials and the Ship Recycling Plan, prior to and during the removal of Hazardous Materials.

4.6.2 Ship Recycling Facilities authorized by a Party shall ensure that all Hazardous Materials detailed in the Inventory are identified, labelled, packaged and removed to the maximum extent possible prior to cutting by properly trained and equipped workers, taking into account the guidelines developed by IMO, in particular:

- .1 hazardous liquids, residues and sediments;
- .2 substances or objects containing heavy metals such as lead, mercury, cadmium and hexavalent chromium;
- .3 paints and coatings that are highly flammable and/or lead to toxic releases;
- .4 asbestos and materials containing asbestos;
- .5 PCB and materials containing PCBs, ensuring that heat inducing equipment is avoided during such operations;
- .6 CFCs and halons; and
- .7 other Hazardous Materials not listed above and that are not a part of the ship structure.

4.6.3 Ship Recycling Facilities authorized by a Party shall provide for and ensure safe and environmentally sound management of all Hazardous Materials and wastes removed from the ship recycled at that Ship Recycling Facility. Waste management and disposal sites shall be identified to provide for the further safe and environmentally sound management of materials.

4.6.4 All wastes generated from the recycling activity shall be kept separate from recyclable materials and equipment, labelled, stored in appropriate conditions that do not pose a risk to the workers, human health or the environment and only transferred to a waste management facility authorized to deal with their treatment and disposal in a safe and environmentally sound manner.

4.7 EMERGENCY PREPAREDNESS AND RESPONSE

4.7.1 Ship Recycling Facilities authorized by a Party shall establish and maintain an emergency preparedness and response plan. The plan shall be made having regard to the location and environment of the Ship Recycling Facility, and shall take into account the size and nature of activities associated with each Ship Recycling operation. The plan shall furthermore:

- .1 ensure that the necessary equipment and procedures to be followed in the case of an emergency are in place, and that drills are conducted on a regular basis;
- .2 ensure that the necessary information, internal communication and coordination are provided to protect all people and the environment in the event of an emergency at the Ship Recycling Facility;
- .3 provide for communication with, and information to, the relevant Competent Authority(ies), the neighbourhood and emergency response services;

- .4 provide for first-aid and medical assistance, fire-fighting and evacuation of all people at the Ship Recycling Facility, pollution prevention; and
- .5 provide for relevant information and training to all workers of the Ship Recycling Facility, at all levels and according to their competence, including regular exercises in emergency prevention, preparedness and response procedures.

4.8 WORKER SAFETY AND TRAINING

4.8.1 Ship Recycling Facilities authorized by a Party shall provide for worker safety by measures including:

- .1 ensuring the availability, maintenance and use of personal protective equipment and clothing needed for all Ship Recycling operations;
- .2 ensuring that training programmes are provided to enable workers to safely undertake all Ship Recycling operations they are tasked to do; and
- .3 ensuring that all workers at the Ship Recycling Facility have been provided with appropriate training and familiarization prior to performing any Ship Recycling operation.

4.8.2 Ship Recycling Facilities authorized by a Party shall provide and ensure the use of personal protective equipment for operations requiring such use, including:

- .1 head protection;
- .2 face and eye protection;
- .3 hand and foot protection;
- .4 respiratory protective equipment;
- .5 hearing protection;
- .6 protectors against radioactive contamination;
- .7 protection from falls; and
- .8 appropriate clothing.

4.8.3 Ship Recycling Facilities authorized by a Party may cooperate in providing for training of workers. Taking into account the guidelines developed by IMO, the training programmes set forth in paragraph 4.8.1.2 shall:

- .1 cover all workers including contractor personnel and employees in the Ship Recycling Facility;
- .2 be conducted by Competent persons;
- .3 provide for initial and refresher training at appropriate intervals;
- .4 include participants' evaluation of their comprehension and retention of the training;
- .5 be reviewed periodically and modified as necessary; and
- .6 be documented.

4.9 REPORTING ON INCIDENTS, ACCIDENTS, OCCUPATIONAL DISEASES AND CHRONIC EFFECTS

4.9.1 Ship Recycling Facilities authorized by a Party shall report to the Competent Authority(ies) any incident, accident, occupational diseases, or chronic effects causing, or with the potential of causing, risks to workers safety, human health and the environment.

4.9.2 Reports shall contain a description of the incident, accident, occupational disease, or chronic effect, its cause, the response action taken and the consequences and corrective actions to be taken.

5 REPORTING REQUIREMENTS

national Ready for Recycling Certificate for the ship. The Statement shall be issued within 14 days of the date of partial or completed Ship Recycling in accordance with the Ship Recycling Plan and shall include a report on incidents and accidents damaging human health and/or the environment, if any.

5.1 INITIAL NOTIFICATION AND REPORTING REQUIREMENTS

5.1.1 A shipowner shall notify the Administration in due time and in writing of the intention to recycle a ship in order to enable the Administration to prepare for the survey and certification required by the Hong Kong Convention.

5.1.2 A Ship Recycling Facility when preparing to receive a ship for recycling shall notify in due time and in writing its Competent Authority(ies) of the intent. The notification shall include at least the following ship details:

- .1 name of the State whose flag the ship is entitled to fly;
- .2 date on which the ship was registered with that State;
- .3 ship's identification number (IMO number);
- .4 hull number on newbuilding delivery;
- .5 name and type of the ship;
- .6 port at which the ship is registered;
- .7 name and address of the Shipowner as well as the IMO registered owner identification number;
- .8 name and address of the company as well as the IMO company identification number;
- .9 name of all classification society(ies) with which the ship is classed;
- .10 ship's main particulars (Length overall (LOA), Breadth (Moulded), Depth (Moulded), Lightweight, Gross and Net tonnage, and engine type and rating);
- .11 Inventory of Hazardous Materials; and
- .12 draft ship recycling plan for approval pursuant to 3.3.2.

5.1.3 When the ship destined to be recycled has acquired the International Ready for Recycling Certificate, the Ship Recycling Facility shall report to its Competent Authority(ies) the planned start of the Ship Recycling. The report shall be in accordance with the reporting format in Appendix 6 to Annex to Convention, and shall at least include a copy of the International Ready for Recycling Certificate. Recycling of the ship shall not start prior to the submission of the report.

5.2 REPORTING UPON COMPLETION

5.2.1 When the partial or complete recycling of a ship is completed in accordance with the requirements of the Hong Kong Convention, a Statement of Completion shall be issued by the Ship Recycling Facility and reported to its Competent Authority(ies).

This report must be compiled as prescribed in Convention. The Competent Authority(ies) shall send a copy of the Statement to the Administration which issued the Inter-

6 ADDITIONAL GUIDANCE UNDER OTHER ENVIRONMENTAL REGULATIONS AND GUIDELINES

6.1 For EU flagged ships, Regulation (EU) 1257/2013 of the European Parliament and the Council on Ship Recycling applies.

See also EMSA's Best Practice Guidance on the Inventory of Hazardous Materials.

6.2 Guidelines adopted by IMO in order to prescribe means of application of particular requirements of the Convention are shown in table 6.2-1.

6.3 IACS developed Recommendation No. 113, Rev.1, that should be applied to service supplier firms that work out:

- "Visual and Sampling check plan" and successive "Report of visual and sampling check"; and/or
- „Inventory of Hazardous Materials“.

Table 6.2-1
Guidelines adopted by IMO

Guidelines	Reference to Article/ Regulation of the Con- vention	Adopted by Reso- lution	Note
2015 GUIDELINES FOR THE DEVELOPMENT OF THE INVENTORY OF HAZARDOUS MATERIALS	Regulation 5	MEPC.269(68)	Res. MEPC.269(68) replaced Res. MEPC.197(62)
2012 GUIDELINES FOR THE SURVEY AND CERTIFICATION OF SHIPS UNDER THE HONG KONG CONVENTION	Regulations 10, 11, 12, 13, 14	MEPC.222(64)	
2012 GUIDELINES FOR THE INSPECTION OF SHIPS UNDER THE HONG KONG CONVENTION	Regulations 4, 5, 10	MEPC.223(64)	Port State inspections
2012 GUIDELINES FOR THE AUTHORIZATION OF SHIP RECYCLING FACILITIES	Regulation 16	MEPC.211(63)	Relevant for the approval of Ship Recycling facility
2012 GUIDELINES FOR SAFE AND ENVIRONMENTALLY SOUND SHIP RECYCLING	Regulations 19, 20	MEPC.210(63)	Relevant for the Ship Recycling facility
2011 GUIDELINES FOR THE DEVELOPMENT OF THE SHIP RECYCLING PLAN	Regulation 9	MEPC.196(62)	Ship Recycling plan for each ship to be recycled shall be prepared by Ship Recycling facility and approved by it's Administration

APPENDIX 1 - CONTROLS OF HAZARDOUS MATERIALS

Hazardous Material	Definitions	Control measures
Asbestos	Materials containing asbestos	For all ships, new installation of materials which contain asbestos shall be prohibited.
Ozone-depleting substances	<p>Ozone-depleting substances mean controlled substances defined in paragraph 4 of article 1 of the <i>Montreal Protocol on Substances that Deplete the Ozone Layer, 1987</i>, listed in Annexes A,B,C or E to the said <i>Protocol</i> in force at the time of application or interpretation of this Annex.</p> <p>Ozone-depleting substances that may be found on board ship include, but are not limited to:</p> <p>Halon 1211 Bromochlorodifluoromethane Halon 1301 Bromotrifluoromethane Halon 2402 1,2-Dibromo-1,1,2,2-tetrafluoroethane (also known as Halon 114B2) CFC-11 Trichlorofluoromethane CFC-12 Dichlorodifluoromethane CFC-113 1,1,2-Trichloro-1,2,2-trifluoroethane CFC-114 1,2-Dichloro-1,1,2,2-tetrafluoroethane CFC-115 Chloropentafluoroethane</p>	New installations which contain ozone-depleting substances shall be prohibited on all ships, except that new installations containing hydrochlorofluorocarbons (HCFCs) are permitted until 1 January 2020.
Polychlorinated biphenyls (PCB)	Polychlorinated biphenyls mean aromatic compounds formed in such a manner that the hydrogen atoms on the biphenyl molecule (two benzene rings bonded together by a single carbon-carbon bond) may be replaced by up to ten chlorine atoms	For all ships, new installation of materials which contain Polychlorinated biphenyls shall be prohibited.
Anti-fouling compounds and systems	Anti-fouling compounds and systems regulated under Annex I to the <i>International Convention on the Control of Harmful Anti-fouling Systems on Ships, 2001 (AFS Convention)</i> in force at the time of application or interpretation of this Annex.	<ol style="list-style-type: none"> 1. No ship may apply anti-fouling systems containing organotin compounds as a biocide or any other anti-fouling system whose application or use is prohibited by the <i>AFS Convention</i>. 2. No new ships or new installations on ships shall apply or employ anti-fouling compounds or systems in a manner inconsistent with the <i>AFS Convention</i>.

APPENDIX 2 - MINIMUM LIST OF ITEMS FOR THE INVENTORY OF HAZARDOUS MATERIALS

Any Hazardous Materials listed in Appendix 1
Cadmium and Cadmium Compounds
Hexavalent Chromium and Hexavalent Chromium Compounds
Lead and Lead Compounds
Mercury and Mercury Compounds
Polybrominated Biphenyl (PBBs)
Polybrominated Diphenyl Ethers (PBDEs)
Polychlorinated Naphthalenes (more than 3 chlorine atoms)
Radioactive Substances
Certain Shortchain Chlorinated Paraffins (Alkanes, C10-C13, chloro)

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